



Our ref: DOC19/610881  
Senders ref: AD344-11-2001

Mr Anthony Barnes  
Senior Environmental Assessment Officer  
Energy and Resource Assessments  
Department of Planning, Industry and  
Environment  
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Dear Mr Barnes

**Subject: Wallerawang Quarry Mod 3 - exhibition**

Thank you for your email dated 8 July 2019 seeking comment from the Biodiversity and Conservation Division (BCD) of the Department regarding the proposed modification to the Wallerawang Quarry. I appreciate the opportunity to provide input.

BCD has reviewed the documents supplied and note that the modification involves an extension of the surface area of extraction from 8.9 to 13.3ha. It is noted that the 13.3ha extension area represents the maximum extent of the proposed extraction operations which may not be realised.

**Biodiversity Assessment**

Section 6.15 of the *Biodiversity Conservation Act 2016* (the Act) requires the Biodiversity Development Assessment Report (BDAR) to be certified as compliant with the Biodiversity Assessment Methodology (BAM) within 14 days of the submission date. The BDAR does not indicate that it has been certified as BAM compliant. BCD recommends that certification be obtained from the accredited assessor to demonstrate compliance with the Act. An email or letter from the accredited assessor would be suffice in this instance.

The BAM (Table 26) also requires that the Biodiversity Credit Report from the BAM calculator is appended to the BDAR. This has not been provided; however, BCD has accessed the credit report through the submitted BAM credit calculator. BCD does however recommend that the credit report be appended to the BDAR.

The proposed modification will require clearing of a total of 14.1 hectares of native vegetation. The BDAR concludes that the proposal will generate an offset credit requirement of 487 ecosystem credits. It is proposed that a combination of measures will be used to retire these credits including entering into a Biodiversity Stewardship Agreement, payment into the Biodiversity Conservation Fund and the purchase of credits.

**Aboriginal cultural heritage (ACH)**

BCD has not identified any issues with the ACH assessment for the proposed Wallerawang Quarry Modification.

The final ACH assessment concludes that 22 Aboriginal objects described as scattered stone artefacts on an exposed track (listed as AHIMS 45-1-2018) cannot be avoided. The steps to salvage the objects including undertaking salvage excavations to determine presence of additional objects (methodology) are acceptable for mitigating and minimising harm. The assessment



discusses that the location for the objects (post salvage) is not yet determined and requiring further guidance by the Registered Aboriginal Parties (RAP). BCD accept that decisions about managing objects will form part of the actions in the Cultural Heritage Management Plan (CHMP). The assessment report has indicated that the RAPs are likely to consent to having the objects reburied within the project boundary.

**Aboriginal consultation – Registered Aboriginal Parties (RAP)**

BCD accept the consultation undertaken as per the Aboriginal cultural heritage consultation requirements (ACHCR) and note the endorsement of the assessment by the Murra Bidgee Mullangari Aboriginal Corporation Cultural Heritage, the Marigandi Indigenous Corporation, the Barraby Cultural Services and the Yurrandaali Cultural Services (of the 10 RAPs registered in the project).

If you have any questions about this advice, please do not hesitate to contact Mr David Geering, Senior Conservation Planning Officer, via [david.geering@environment.nsw.gov.au](mailto:david.geering@environment.nsw.gov.au) or 02 6883 5335.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Peter Christie'.

Peter Christie  
**Director**  
**North West, Biodiversity and Conservation**

15 August 2019